

**UNITED STATES DISTRICT COURT**  
for the  
Eastern District of Michigan

United States of America  
v.

Phillip James BATTLE

Case: 2:21-mj-30552  
Assigned To : Unassigned  
Case No. Assign. Date : 11/19/2021  
Description: CMP USA v. SEALED  
MATTER (SO)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 9, 2021 and October 14, 2021 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section*

*Offense Description*

18 U.S.C. 922(g)(1)

Felon in possession of a firearm

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

*Raylan Hill*

*Complainant's signature*

Task Force Officer Rayland Hill - ATF

*Printed name and title*

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: November 19, 2021

City and state: Detroit, Michigan

*Jonathan J.C. Grey*

*Judge's signature*

Honorable Jonathan J.C. Grey, U.S. Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Task Force Officer Raylan Hill, being first duly sworn, hereby depose and state as follows:

**I. INTRODUCTION**

1. I have been employed as a Task Force with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since July of 2020. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), and I am empowered by law to conduct investigations and make arrests of offenses enumerated under federal law.
2. I have had extensive training with the Detroit Police Department where I have been a Police Officer since 2017. During my time at ATF, I have authored arrest warrants on the state level and have executed numerous search warrants and participated in undercover deals under a surveillance capacity.
3. During my employment with ATF, I have participated in numerous criminal investigations focused on firearms, armed

drug tracking violations and criminal street gangs. During said employment, I have utilized a variety of investigative techniques and resources, including physical and electronic surveillance, various types of informants and cooperating sources.

4. I have personal knowledge or have been provided by other law enforcement officers with the facts set forth herein. I have not included each and every fact known to me concerning this investigation; rather I have set forth only the facts necessary to establish probable cause Phillip BATTLE violated Title 18 USC 922(g)(1) felon in possession of a firearm.

## **II. BACKGROUND OF THE INVESTIGATION**

5. This affidavit primarily concerns two incidents, the first on September 9, 2021, and the second on October 14, 2021.
6. During the months of September and October, 2021, ATF and the Detroit Police Department have conducted an investigation into Phillip BATTLE (XX/XX/86) for violations of federal firearm laws.

7. I reviewed a Computerized Criminal History (CCH) of BATTLE and determined Mr. BATTLE is convicted of the following felony offenses:

2020 – Pled Nolo Contest – Felony Carrying concealed weapon

2020 - Pled Nolo Contest– Felony Assault dangerous weapon

### **III. SUMMARY OF THE INVESTIGATION**

8. In the first incident, on September 9, 2021, at approximately 21:30 hours, members of the Detroit Police Department, Officer R. Chandler, and Officer P. Sweppy, were on patrol in the area of E. 7 Mile Road and Joann.

9. The officers observed Mr. BATTLE exit the building area of the Citgo gas station at 13033 E. 7 Mile Road with a large bulge in the front right front pocket area of a hoodie sweatshirt he was wearing.

10. Officer Sweppy made contact with Mr. BATTLE in the gas station parking lot to ask Mr. BATTLE about the bulge.

11. Mr. BATTLE immediately opened the driver's-side door of a Chevy Astro van at the gas pump.

12. Officer Sweppy observed the motion of the offender's shoulder raise as if Mr. BATTLE was lifting an object from his waist

area. Officer Sweppy then observed the BATTLE lean into the van and appear to toss something inside.

13. Based on the officer's experience, he believed that the offender was discarding a firearm into the vehicle.

14. Officers asked BATTLE if he had a pistol and he immediately raised his hands indicating to officers that he was in possession of a firearm.

15. Officers recovered a firearm from the area where they had observed of BATTLE tossing an object.

16. Officers detained Mr. BATTLE on suspicion of carrying concealed pistol without a concealed pistol license ("CPL").

17. Mr. BATTLE told the officers on scene that he was on probation for a previous weapons charge, and did not have a CPL.

18. Officers then confirmed through LIEN that Mr. BATTLE did not possess a CPL. The pistol that Mr. BATTLE was in possession of was stolen, per LIEN.

19. Mr. BATTLE was placed under arrest for carrying a concealed pistol without a CPL and transported to the Detroit Detention Center without incident.

20. The weapon recovered at the scene is a Smith and Wesson SD40VE, .40 cal, serial number FZH6118.

21. In the second incident, on October 14, 2021, at approximately 21:18 hours, members of the Detroit Police Department, Officer Gunther and Officer Thompson, were on patrol in a scout car in full uniform traveling between Fairport St. and Park Grove St.

22. Officers observed Mr. BATTLE standing in the driveway at 18108 Fairport St. near a grill.

23. As the scout car approached Mr. BATTLE, he appeared panic-stricken and quickly moved behind the grill.

24. The officers observed Mr. BATTLE'S actions and attempted to make contact with him.

25. As officers approached, Mr. BATTLE fled on foot eastbound, up the driveway, between the houses.

26. While pursuing, officer Gunther observed Mr. BATTLE use his right hand to pull a tan L shaped object from his right front waist area and toss it near the rear of the house.

27. Mr. Battle continued to flee, but slipped in an alley and was seen by the officers as he tried to hide in tall grass,

28. Officer Thompson placed handcuffs on Mr. BATTLE while officer Gunther canvassed the area. Officer Gunther observed and recovered a tan Glock 19 with a red laser, serial number BHKX182. The weapon was loaded with one round chambered.

29. During the investigation, officers discovered via LEIN that Mr. BATTLE was wanted for a felony warrant out of Macomb County. Per LEIN, Mr. BATTLE did not have a CPL.

30. BATTLE was then arrested for carrying concealed weapon. The weapon recovered at the scene was a tan Glock 19x, 9 MM, semi-automatic pistol, bearing serial number BHKX182.

31. SA Mark Davis, an Interstate Nexus Special Agent, was advised of the seizure of the Glock 19x 9mm pistol and the Smith and Wesson Sdve40 pistol. Based on SA Mark Davis's training and experience, both weapons meet the federal definition of a firearm and were manufactured outside the state of Michigan.

#### IV. CONCLUSION

32. Based on the above facts, probable cause exists that Mr.

BATTLE violated Title 18 USC 922(g)(1) felon in possession of  
a firearm.

*Raylan Hill*

Raylan Hill, Task Force Officer  
Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

*Jonathan J.C. Grey*

HONORABLE JONATHAN J.C. GREY  
UNITED STATES MAGISTRATE JUDGE

Dated: November 19, 2021